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Docket No.: 27419.004.00-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Raphael F. Meloul

Confirmation No.: 1440

Application No.: 10/635,503

Art Unit: 3763

Filed: August 7, 2003

Examiner: K. C. Sirmons

For: SAFETY NEEDLE AND SHIELD USED TO  
ADMINISTER MEDICATION AND TO  
DRAW BLOOD

Customer No.: 30827

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the election requirement, Applicant hereby provisionally elects species 7, defined by Figs. 31 and 32, with traverse. Claims 1, 3, 4, 13, 18, 19, 21, 22, 31 and 36-40 read on the elected species. It is also respectfully submitted that Species 8, defined by the Examiner as Figs. 33 and 34, should be included in Species 7 because each of Figs. 31-34 relate to the same embodiment of the present invention, as noted in the specification at paragraphs [0093]-[0097].

Further, Applicant respectfully asserts that claims 1, 18, 19, 31, 36 and 37 are generic to the various embodiments of the invention as disclosed and claimed in the present application. Specifically these claims include a closing structure. The various embodiments of the present invention illustrate various closing structures that fall within the scope of these generic claims. Therefore, Applicant respectfully requests that the Examiner remove the election requirement and examine all of the currently pending claims.


Applicant's election is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to the non-elected species.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: November 12, 2004

Respectfully submitted,

By 

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